

Policy Title: Complaints and Grievances  
Policy Number: PSA-OPR034.0  
Date Reviewed by Administration: 9/29/2020  
Date Approved by PSA Board: 10/06/2020  
Stand Alone or Handbook:  Employee Handbook  
 Student/Parent Handbook  
 Stand Alone Policy  
Policy References: Replaces PSA Grievance Policy and Procedures approved 2/16/2017

Policy:

### COMPLAINTS AND GRIEVANCES POLICY

The Governing Board of Palmetto Scholars Academy adopts the following policy, which shall be effective on that date that the policy is adopted by the Board.

### GENERAL CONSIDERATIONS

The Palmetto Scholars Academy is committed to providing the best possible conditions for all members of the school community including students, families, teachers, administrators and visitors. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion or question receives a timely response from school teachers, administrators or Board.

By developing and implementing this policy, PSA supports ongoing school improvement process and aims to develop some even stronger school community relationships. Students, parents or guardians and stakeholders, in voicing their concerns, contribute to maintaining a respectful and meaningful academic and educational partnership. Some concerns might be complex while others might be simple questions that need a formal answer. However, in all cases involved parties must carry an open and courteous conversation that will provide opportunities to further build the partnership between PSA and our families. As such, the PSA Board expects that all parties will, when addressing issues:

- maintain the confidentiality of all parties
- act in good faith and in a calm and courteous manner
- show respect and understanding of each other's point of view and value differences, rather than judge and blame
- recognize that all parties have rights and responsibilities which must be balanced.

### GENERAL PROVISIONS

## SECTION 1. Purpose and General Policy Provisions Related to Resolution of Concerns.

SECTION 1.1. The PSA Board encourages the early, informal resolution of complaints at the appropriate school level whenever possible. In such cases in which a professional conversation has not addressed the issue of concern, students, parents and all other parties involved in school activities have the right and responsibility to formalize school related complaints and grievances to the faculty, administration and Board of PSA using the process and procedures outlined herein.

SECTION 1.2. In addition, a student, parent or guardian or any person involved in school activities may initiate the complaints and grievances procedure to appeal any final decision of school personnel except as provided in section A below.

- A. This policy does not apply in the case of alleged sexual harassment where the provisions of the Sexual Harassment Policy apply.
- B. The present is a general complaints and grievance policy and it is secondary to situations in which the Principal's decision has been reached or other policies address specific types of complaints and grievances, such as point A above.

SECTION 1.3. The present complaints and grievances policy and its procedure does not bar individuals from filing claims in other forums to the extent permitted by state or federal law.

SECTION 1.4. Students, parents and all other parties shall be assured the opportunity for an orderly presentation and timely review of their complaints and grievances via anonymous and formal resolution process which will not interfere with regular scheduled classes or school related activities.

SECTION 1.4.1. Formal complaints will be numbered, logged by the PSA school principal office and answered in a timely and sequential manner.

SECTION 1.4. Two anonymous paths for submitting formal complaints will be provided to permit complainants, if the originating party chooses to not identify himself or herself:

SECTION 1.4.1 Anonymous formal complaints can be submitted using the "Complaint Box" (paper format) or in electronic format -submitting the complaint anonymously via the school web site.

SECTION 1.4.2. Two individuals designated by the Board of PSA will jointly accept and log anonymous complaints and will forward them to the Principal. In case the complaint is regarding the principal or assistant principal of PSA the complaint will be forwarded to the Board Chair.

The log of all anonymous complaints will be kept and reviewed regularly by the PSA Board via its Human Resources and Policy Committee.

## SECTION 2. Process

## COMPLAINTS AND GRIEVANCES PROCESS

Requiring that at their level faculty and administration shall make an honest and forthright effort to resolve complaints and grievances timely at the earliest possible stage and at the most immediate level of authority, the Board of Palmetto Scholars Academy recommends to the PSA Administration adoption of the following process, which shall be effective on that date that the policy is adopted by the Board.

SECTION 2.1. Concerns and complaints are best addressed by students, parents, teachers, principals and support staff working in partnership. Parents/guardians are encouraged to attempt to orally resolve concerns with the appropriate staff member personally.

However, if the complainant decides to formalize a complaint, in order to proceed in an efficient manner towards the resolution of a problem, the level closest to the issue will be 1<sup>st</sup> made aware and try to solve the issue at the respective level. See attached process flow.

The following are the PSA levels of authority and roles:

1. **Teachers:** All classroom related concerns
2. **Department Chairs and Grade Level Chairs:** provide support regarding **curriculum**, grades, student issues from other classes, etc, as well as unresolved issues from the "Teachers" level.
3. **Principal and Appointed Delegate such as Assistant Principal(s):** All other concerns including policies, procedures, administration, unresolved classroom, complex grade and curriculum related concerns, etc.
4. **Appeals to the Principal's final decision** – Governing PSA Board via the delegated authority of the PSA Board Grievance Committee
5. **Complaints against school principal will be send directly to the PSA Board and will follow the formal resolution procedure.** Any Board Director can receive the complaint and has the obligation to bring it immediately to the attention of the Board Chair.

SECTION 2.2. The decision of the PSA principal shall be final: (1) in matters concerning the lawful assignment of students to classes and/or teachers and (2) in grade disputes except that grade disputes are grievable within one month of the posting of a final grade.

SECTION 2.3. Following adoption of the present policy, within 45 days of the adoption date, the PSA Administration will:

- brief all members of staff (including volunteers) about its procedures to address concerns and complaints, annually
- provide staff with (or provide access to) training and support appropriate to their responsibilities under the procedures
- ensure staff who manage complaints demonstrate the personal attributes in line with the PSA values

SECTION 2.4. In the process of hearing and solving the complaint, the teacher, staff member, administrator or Board shall have the authority to table any meeting considered to be unproductive, threatening, hostile, inappropriate, or lacking appropriate representation.

SECTION 2.5. No person will be retaliated against or penalized for voicing or initiating a complaint with Palmetto Scholars Academy in a reasonable, professional manner or for participating in the investigation of a complaint pursuant to the complaint and grievance procedure.

SECTION 2.5.1. The claim of retaliation in itself constitutes reason to formally initiate a complaint. Any accusation of retaliation shall immediately be elevated to the next level of the Complaint/Grievance process and the Board of Directors will be notified of the accusation.

SECTION 3: Procedure

### COMPLAINTS AND GRIEVANCES PROCEDURE

The Board of Palmetto Scholars Academy adopts and recommends to the PSA Administration adoption of the following procedure, which shall be effective on that date that the policy is adopted by the Board.

SECTION 3.1. Definition of terms:

Complaints are against either “Process” or “People”, and will be deemed either “Informal” or “Formal”, defined as follows:

- **Complaints & Grievances about “Process”:** A complaint that alleges a partial process or practice in the school environment. This applies to any school defined activities including but not limited to grading, attendance, testing, etc., that is applied equally to the entire classroom, grade level, department, or school.
- **Complaints & Grievances about “People”:** A complaint that alleges a violation of Policies, Ethics, or Professional Conduct by an employee of the school or a person operating on behalf of the school (e.g., chaperone or volunteer).
- **Informal Complaints & Grievances:** Complaints submitted anonymously or by an individual who lacks standing\* in the dispute
- **Formal Complaints & Grievances:** Formal complaints submitted in written form (paper or electronic) in which the Complainant self-identifies and has standing\* in the dispute.

\* To have standing a party to a complaint the complainant must be able to demonstrate sufficient connection and harm from the action being reported.

SECTION 3.2. **Informal Complaints & Grievances Procedure:** The PSA Board requires that all complaints be given appropriate attention and investigated. However, it recognizes that PSA staff might not be able to fully investigate a complaint if they cannot effectively liaise with the complainant. Moreover, anonymous complaints raise natural justice issues for respondents who have a right to know the particulars of the allegations about a process that involves them or directly against them.

Furthermore, the PSA Board trusts the PSA community to not engage in “unreasonable complainant conduct” in general but more so when using the Informal Complaints and Grievance Process and Procedure. Unreasonable complainant conduct is behavior that:

- is clearly and significantly outside the expectations of confidentiality, cooperation, courtesy and respect
- calls for staff resources and time unjustified by the nature or significance of the complaint
- is vexatious (that is, an action or complaint that is brought without merit, often to cause annoyance to another person)
- is oriented towards conflict

The PSA Principal, along with the Board designee(s), should determine the extent to which an anonymous unreasonable complaint shall be investigated.

All reasonable informal complaints will be raised to and addressed in terms of validity and claim with the corresponding level of authority. However, the Principal or Appointed Delegate may at their discretion further investigate informal complaints if they believe the underlying cause has not been addressed or there is additional information relevant to understanding the situation that has not been disclosed.

Where a reasonable informal complaint is about the principal of the PSA the decision to investigate the complaint shall be made directly to the PSA Board of Directors.

SECTION 3.2.1. To provide a path for submission of anonymous complaints the Administration will place a "Complaint Box" in a prominent external location at the front of the school. Additionally, an electronic complaint form for submitting complaints anonymously will be created and prominently placed on the school website. Two individuals will be designated by the PSA Board to jointly accept, log, and send to the Principal, or if the complaint is against the Principal- to the Board Chair all of the informal complaints.

SECTION 3.3. **Formal Complaints & Grievances Procedures:** The Palmetto Scholars Academy's formal complaint & grievance procedures implement the policy of the Board in this regard.

SECTION 3.3.1. The complainant shall bring the situation or concern to the attention of those directly involved within five (5) business days.

SECTION 3.3.2. Any PSA employee may receive a formal complaint on behalf of the school, and shall forward to the Principal the complaint as it was received -in paper or electronic format- the same day it was received.

SECTION 3.3.3. The Principal will establish a confidential log to be maintained jointly with a Board designee to record all formal complaints. The log will include the nature of the complaint, date received, PSA employee who received the complaint, and the identities of all parties involved. Additionally, the complaint will be assigned a tracking number from the log and a file (paper copies) will be opened and maintained confidentially and securely at the same level of protection as legally mandated for student records.

SECTION 3.3.4. The PSA Principal should ensure complaints are addressed promptly, within agreed timelines where possible. The length of time may vary according to the complexity of the complaint, however, in most cases the school should attempt to resolve complaints within 20 school working days from the date the complaint was received.

Days of awareness, as noted in the procedure, are measured in working days from the date entered into the confidential log. Working days include only full days in which school is in session. Extensions to this time may be requested- under extenuating circumstances- by each party in writing and all such requests will be documented in the complaint file.

Administrative failure to address complaints in a timely manner will not result in expiration of the time for the complaint.

A Formal Complaint may not be closed without the agreement of the complainant unless directed by the Board.

SECTION 3.3.4. Logged Formal Complaints & Grievances about People will follow the HR PSA policies and applicable state and federal laws.

SECTION 3.3.5. Formal complaints and appeals presented to the Board of Directors for making a decision on the complaint will include individual names. Any discussion in which individuals are named must take place in executive session.

Procedures for addressing complaints & grievances are as follows, in order of execution:

### **1. Address Issue with Those Directly Involved**

The complainant brings the situation or concern to the attention of those directly involved within five (5) working days of becoming aware of the grievance. This may include the teacher, Department Chair, or Grade Level Chair depending upon the nature of the complaint. Should a student or parent fail to begin the process at the lowest possible level, and instead go directly to the Principal or PSA Board with a concern about a teacher, the person at the higher level in the policy shall re-direct the grievant to the appropriate level in the process.

### **2. Address Issue with the Principal**

If satisfactory resolution is not realized after a direct conversation between parties, the situation must be brought to the attention of the Principal within five (5) days of the above meeting. The Principal -as the "Facilitator"- (as long as the situation or concern is not regarding the Principal) and the conflicted parties will address the situation, facilitate communication, and develop goals for conflict resolution. The Principal will facilitate this process until resolution is realized or until an impasse is reached.

### **3. Prepare a Written Grievance for the Board of Directors**

If the matter cannot be settled satisfactorily by the PSA Principal or his/her designee, or it regards directly the Principal, the concern may be brought to the attention of the PSA Board.

The grievant may request that the matter be brought to the attention of the Board only after the matter has not been satisfactorily resolved according to the steps above. In cases regarding the Principal, reasonable effort must be made to address the concern at the respective level of school administration. In cases in which resolution is not realized or impasse is reached, or other exceptional circumstances prevent the complainant to 1<sup>st</sup> address the matter with the Principal, the issue can be brought directly to the attention of the Board Directors or Board Chair.

In all cases, the Principal has the obligation to log in the complaint and inform the Board Chair of any complaint against herself/himself even if it has been resolved.

In case of a complaint against a Board Director or Board Chair, the complainant will first present the complaint to the PSA Principal and one delegated Assistant Principal, who will both act as Facilitators to identify the appropriate level of authority within the PSA Board who will formally receive the complaint.

Questions or concerns, along with a request for the item to be heard by the Board, must be submitted in writing to the PSA Board within 10 (ten) working days of the decision of the PSA Principal or his/her designee.

The request to be heard should include following details:

- Explanation of and reasons for the unsatisfactory settlement, in one's own words;
- Description of the initial incident, decision or practice that gave rise to the complaint;
- Citation of the contract, policy, or procedure that has been violated and/or rationale for Board-level concern;
- Description of the resolution strategies attempted via Steps 1 and 2; any proof of following the grievance policy at the school level, including a copy of the formal complaint letter initially submitted and the official correspondence from the school including their final decision and/or action taken, and
- Explanation of the corrective action being requested.

The PSA Board Chair will, at the next regularly scheduled Board meeting, in an Executive Session -if required under FERPA to protect the identities of parties involved -present to the Board the request by the parent or other community member that the complaint be heard, together with copies of all correspondence and responses from the previous level(s).

After reading the request and before presenting the details of the request to the Board, the Board Chair will formally ask the Board Directors who have a conflict of interest with the situation to recuse themselves, after which, the Board Chair will proceed with providing the details of the request.

The Board will notify the complainant of its decision whether or not to hear the complaint within 10 (ten) working days of the meeting at which the request was considered. Should the Board decide to hear the complaint, based on the nature of the complaint, the Board Chair could proceed with full Board hearing (except for the recused Directors) or delegate authority to the Grievance Committee.

Should the Board Chair have a conflict of interest and hence be required to recuse, next Board officer will lead the Board proceedings.

The complainant will be informed of whether the hearing will be in open or closed session, depending upon the nature of the complaint.

The Board will take a reasonable length of time for a full and proper review of the complaint and will render a decision as soon as practicable.

#### **4. Grievance Committee Review and Recommendation**

Provided that the Board Chair, or designee, determines that the required steps were taken, and that the grievance will be forwarded to the Grievance Committee, the Committee will hear, investigate and make a non-binding recommendation to the Board of Directors.

#### **5. Board Action**

The Board as a whole will determine what Action, if any, will be taken on any recommendation made to it by the Grievance Committee. The PSA Board decision will be communicated in writing within 10 calendar days following the conclusion of its evaluation.

#### **6. Appeals**

An appeal request to a Board decision on a grievance shall be made in writing to the Board within ten (10) working days of receiving the decision. The appeal must contain new aspects or documents, previously not seen or considered. Failure to file such a request within stated dates under this procedure shall be deemed a waiver of the right to appeal and shall end the grievance procedure.

#### **7. Decisions**

Decisions rendered by the Board of the Palmetto Scholars Academy shall be considered final.

#### **No Reprisal, Sanction, or Penalty**

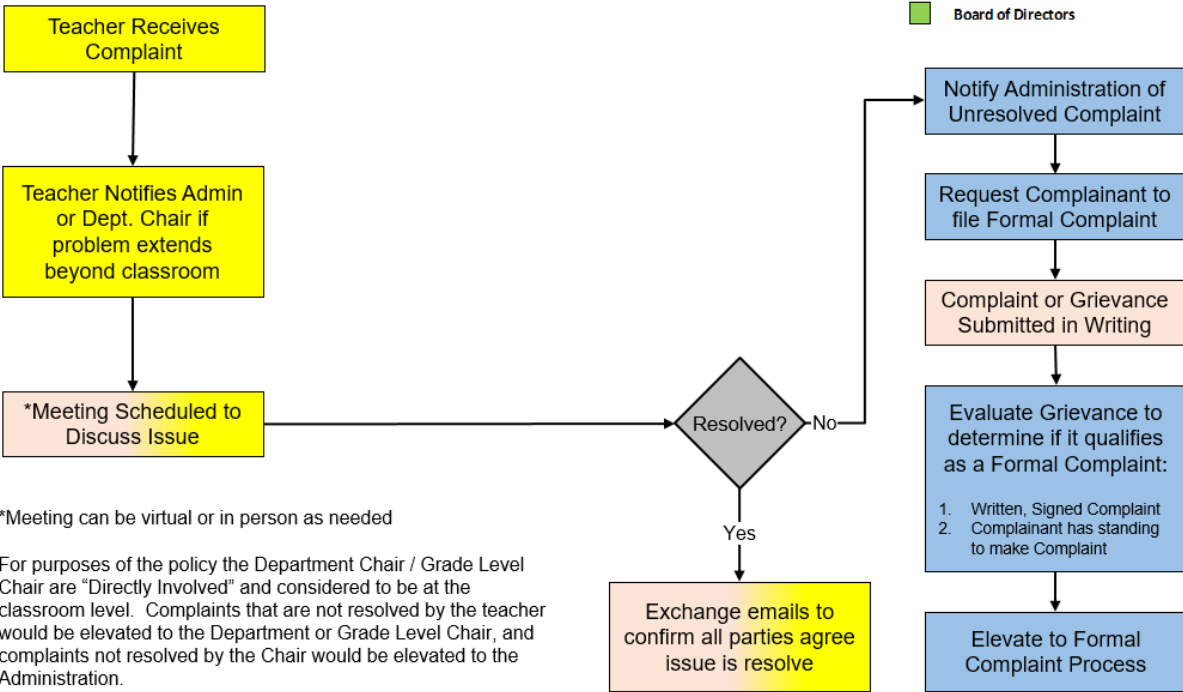
No person shall be the object of administrative reprisal, sanction or penalty of any kind for either initiating or participating in the grievance procedure. As noted in Policy Section 3, all accusations of retaliation will result in the immediate elevation to the next step in the process and notification of the Board of Directors



# Palmetto Scholars Academy

## Informal Complaints & Grievances Process Flow

- Parent/Student
- Teacher
- Administration
- Board Grievance Committee
- Board of Directors



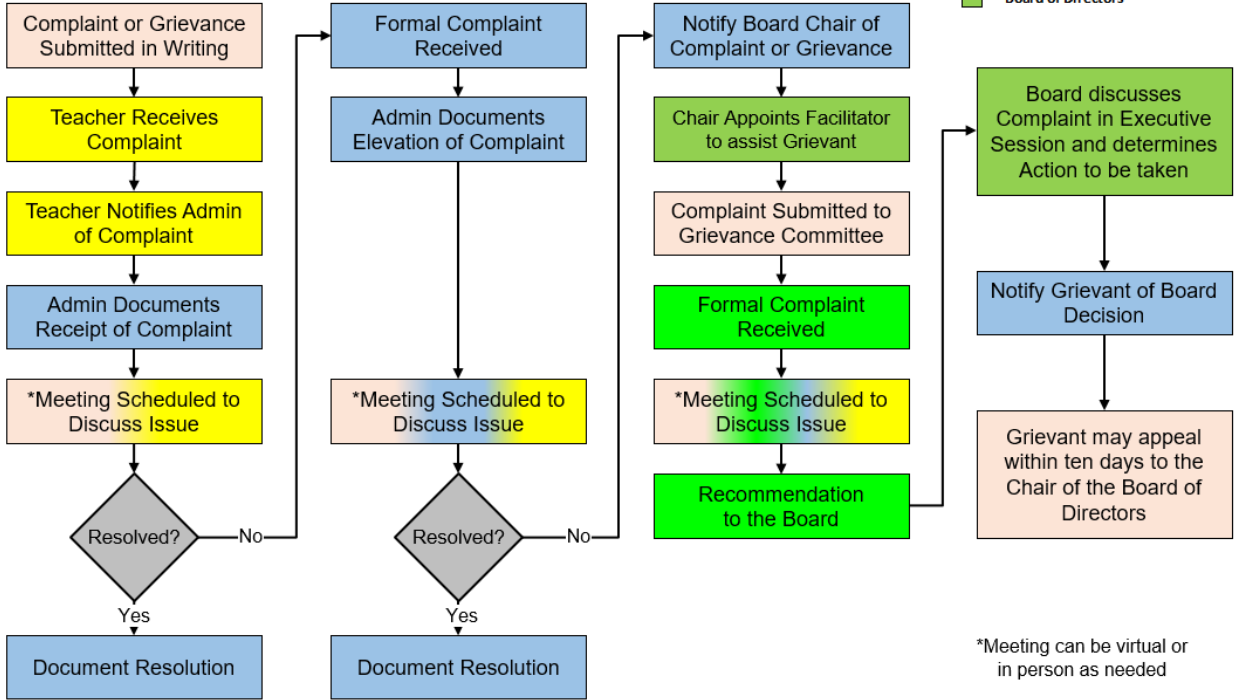
\*Meeting can be virtual or in person as needed

For purposes of the policy the Department Chair / Grade Level Chair are "Directly Involved" and considered to be at the classroom level. Complaints that are not resolved by the teacher would be elevated to the Department or Grade Level Chair, and complaints not resolved by the Chair would be elevated to the Administration.

# Palmetto Scholars Academy

## Formal Complaints & Grievances Process Flow

- Parent/Student
- Teacher
- Administration
- Board Grievance Committee
- Board of Directors



PALMETTO SCHOLARS ACADEMY

Complaint Form

This form may be used as part of the PSA Board's Complaint / Grievance Procedure by any party who wishes to initiate a formal written complaint.

Please note that complaints and grievances can be filled within 5 days following the triggering event.

**If a complaint involves a severe and imminent threat to student health and safety it should be brought to the immediate attention of the school's administration. Every effort must be made to seek to address and resolve the potential risk.**

Date: \_\_\_\_\_

Name of Student / Complaining Party: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: Home \_\_\_\_\_ Cell / Other \_\_\_\_\_

Does this complaint involve physical violence or the threat of physical violence or injury? \_\_\_No \_\_\_Yes

Has there been a threat of suicide in connection with this incident / complaint? \_\_\_No \_\_\_Yes

Does this complaint involve allegations of sexual harassment? \_\_\_No \_\_\_Yes

Does this complaint involve allegations of discrimination (race, gender, age, etc)? \_\_\_No \_\_\_Yes

If yes, please provide additional details. \_\_\_\_\_

\_\_\_\_\_

Provide a complete description / explanation of the complaint, including the date of the incident on which the complaint is based, names of students or others responsible or involved in the incident, names of witnesses, and all other relevant facts. Use the back or attach additional paper as needed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

Describe any earlier efforts to resolve this matter or the reasons no such efforts were pursued.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What specific remedy or corrective action are you seeking?

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**Complainant Signature**

*N.B. If a minor student files a complaint, parent /guardian is also required.*

Effective Date: 10/06/2020

Revision Record

<b>Revision</b>	<b>Purpose</b>	<b>Date</b>
<b>0.0</b>	Original form created by Policy and HR committee from PCSASC template	10/06/2020